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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/257,064	02/25/1999	TOSHIO ABE	35.C13352	1680

5514 7590 02/26/2004
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

LAMB, TWYLER MARIE

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/257,064

Applicant(s)

ABE ET AL.

Examiner

Twyler M. Lamb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 133, 134, 140, 151, 152, 158, 169-172, 174, 192-194, 196 and 214 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 31, 33 and 61 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 8, 12, 16, 20, 23, 25, 27, 29, 34, 35, 38, 42, 46, 50, 53, 55, 57 and 59 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1,3-5,8,12,16,20,23,25,27,29,31,33-35,38,42,46,50,52,55,57,59,61,133,134,140,151,158,169-172,174,192-194,196 and 214.

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DETAILED ACTION

Notice to Applicant (s)

1. This action is responsive to the following communications: amendment A filed on 7/3/02.
2. This application has been reconsidered. Claims 1, 3-5, 8, 12, 16, 20, 23, 25, 27, 29, 31, 33-35, 38, 42, 46, 50, 52, 55, 57, 59, 61, 133, 134, 140, 151, 158, 169-172, 174, 192-194, 196 and 214 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 31, 33 and 61 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurosawa et al. (Kurosawa) (US 6,035,059).

With regard to claims 1, 3, 31, 33 and 61, Kurosawa discloses an information processing apparatus (Figure 1) comprising storage (buffer unit 3) for storing printing data to which a printing attribute has been added (col 4, lines 19-22); contour information extraction means (separation unit 2) for extracting contour information based on the printing attribute added to the printing data that are stored in said storage

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(col 4, lines 19-22); layout reference information setting means (character segmentation unit 5) for setting layout reference information based on the contour information, extracted by said contour information extracting means, the layout reference information being used as a reference when laying out the printing data (col 4, lines 25-29); and layout means (image processing unit 4) for laying out the printing data based on the layout reference information set by said layout reference information setting means (col 12, lines 35-44); wherein the layout reference information comprises a layout reference point (col 11, line 31 – col 12, line 5) and a layout reference size (col 13, lines 21-24; col 24, lines 36-37).

Allowable Subject Matter

5. Claim 133, 134, 140, 151, 152, 158, 169-172, 174, 192-194, 196 and 214 allowed.

6. Claims 4-5, 8, 12, 16, 20, 23, 25, 27, 29, 34-35, 38, 42, 46, 50, 53, 55, 57 and 59 and objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 3-5, 8, 12, 16, 20, 23, 25, 27, 29, 31, 33-35, 38, 42, 46, 50, 52, 55, 57, 59, 61, 133, 134, 140, 151, 158, 169-172, 174, 192-194, 196 and 214 have been considered but are moot in view of the new ground(s) of rejection.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two

2121 Crystal Drive

Arlington, VA.

Sixth Floor (Receptionist)

Twyler Lamb

A handwritten signature in black ink, appearing to be 'Twyler Lamb', written in a cursive style.

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